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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/016,998

12/14/2001

Paul A. Kline

CRNT-0034

4988

7590

10/18/2005

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EXAMINER

PAYNE, DAVID C

ART UNIT

PAPER NUMBER

2638

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/016,998	<b>Applicant(s)</b> KLINE, PAUL A.	
	<b>Examiner</b> David C. Payne	<b>Art Unit</b> 2638	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 July 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8, 10, 11, 13-24, 26-41, 43-46, 50-59 and 61 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-11, 13-24, 26-41, 43-46, 50-59 and 61 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

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**DETAILED ACTION**

1. It is noted that the applicant has submitted an over 300 prior art references for this application ranging over the following classes:

119	16	178	202
24	241	257	292
307	312	323	324
333	33	336	340
359	361	365	370
375	379	380	381
385	398	40	417
439	441	455	510
600	700	702	705
713	714	717	725
726	74	83	99

While every attempt is made to review the applicant's prior art in detail, such a large submission of diverse references can cause the Office to miss particularly relevant material. Therefore, the Examiner is requesting that the applicant cite the particular material in the submitted references (i.e., figures and/or text) that they believe is relevant to their claimed invention.

**DETAILED ACTION*****Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 5-8, 10, 11, 13-24, 26-40, 43-46, 50-59 and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown US 6,282,405 B1 (Brown) in view of Cern US 6452482 B1 (Cern) and Croushore et al. US 6278357 B1 (Croushore).

Re claim 1, 2, 5-8, 10, 11, 13-24, 26-35, 40, 58, 59, 61 Brown disclosed the method whereby a network linking a plurality of premises comprising a section of broadband telecommunications network and a plurality of electrical power cables each connected to a respective one of the premises for supplying mains electrical power thereto, each of said power cables also being connected to the section of broadband telecommunications network so that telecommunications signals are transmissible between the section of broadband telecommunications network and each of said power cables, wherein a telecommunications signal is transmissible to and/or from said plurality of premises by being transmitted along the section of broadband telecommunications network and also along the respective power cable of each of said premises. The power transmission/distribution network being used to propagate the telecommunications signal from the telecommunications network into e.g. the premises of a user and vice versa i.e. the communications may be bi-directional. The broadband telecommunications network may be a standard broadband distribution network e.g. a coaxial, twisted pair or fiber cable (e.g., col./line: 2/22-45, 2/50-55). Brown does not disclose the network condition unit (Figure 8) as a bypass transformer. Cern disclosed a medium voltage- low voltage bypass transformer (MV-LV), see Cern col./lines: 1/25-35. It would have been obvious to one of ordinary skill in the art at the time of invention to use a MV-LV transformer to keep the feed resistance low which is desirable to maintain reasonable level of voltage regulation, see e.g., Cern col./lines: 2/5-15. Brown does not disclose the fiber optic transceiver and modem together. Croushore disclosed such an arrangement, see Figures 6 and 11. It would have been obvious to one of ordinary skill in the art at the time of invention to connect the data communications up to the power lines in this manner since, PCs are well known in the art to communicate over modems in a high speed fashion over fiber

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transmission.

Re claims 36-39, 43 – 46, the modified invention disclosed of routers in communication an optical/power network, see Cern col./lines: 14/60-65.

Re claims 50-57, the modified invention disclosed a low, medium and high voltage network implementations, Cern col./lines: 2/5-15.

4. Claim 3, 4, 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown US 6,282,405 B1 (Brown) in view of Cern US 6452482 B1 (Cern) and Croushore et al. US 6278357 B1 (Croushore) as applied to claims 1 and 36 above, and in further view of Hylton et al. 5,630,204 (Hylton).

Re claim 3, 41 the modified invention of Brown, Cern and Croushore as taught disclosed the aforementioned invention but does not disclose where the focus signal is compliant with the Synchronous Optical Network Standard (SONET). Hylton disclosed a ADSL bay connected to a SONET fiber optical fiber (217 of Figure 2, col./lines: 7/7-17). It would have been obvious to one of ordinary skill in the art at the time of invention to use SONET as the networking standard over the optic fiber since it is the predominant standard for public optical networks and used as an interoperable standard for many optical telecommunication devices.

Re claim 4 Brown disclosed telecommunications RF signals e.g. television signals, which may be analogue and/or digital format (e.g., col./lines: 8/39-41).

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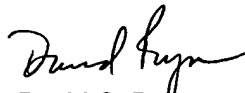
***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David C. Payne whose telephone number is (571) 272-3024. The examiner can normally be reached on M-F, 7a-4p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth Vanderpuye can be reached on (571) 272-3078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dcp

  
David C. Payne  
Patent Examiner  
AU 2638